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November 22, 2019

The Hon. Timothy A. Garrison
United States Attorney
United States Attorney's Office for the Western District of Missouri
Charles Evans Whittaker Courthouse
400 East 9th Street, Room 5510
Kansas City, MO 64106

Dear Mr. Garrison:

I write following disturbing reports of unacceptable housing conditions in the Kansas City region. For years, residents in the region have had to put up with conditions ranging from significant rodent infestations, to mold, to systems that leave residents with no source of heat during winter. These conditions are widespread, persistent, and affect residents across the state. As Attorney General of Missouri, for example, I brought a lawsuit against a management company following reports that nearly half the units in a complex it managed were infested with rodents.¹

Recent reports suggest that these housing problems have not only remained—they have become worse in the Kansas City region. These news stories report that large companies managing housing complexes for predominantly low-income Missourians in Kansas City are failing to maintain units in habitable conditions, evicting tenants at higher than normal rates,² and failing to pay utilities bills that are the landlord's responsibility, leaving hundreds of residents potentially without heat.³ Recently, the Housing Authority of Kansas City cut off future Section 8 eligibility for at least one large housing company, TEH Realty, for the company's "history and pattern of non-compliance."⁴

Conditions may be even worse than what these reports suggest. When some landlords neglect their duties, tenants often will not bring complaints. Eviction is a cause, and not just a symptom, of poverty. And many of these tenants fear that, if they raise complaints, a landlord will evict them, either illegally or pretextually over a small-scale infraction. That concern is especially severe when residents live in complexes managed by companies with higher than normal eviction rates.

¹ https://www.stltoday.com/news/local/metro/lawsuit-settled-over-mice-infested-apartments-in-st-louis-public/article_3373efab-3d77-5dd9-82c9-552c90ecd325.html

² <https://www.kmbc.com/article/kc-tenants-rights-group-says-apartment-investors-have-high-rate-of-evictions/28651478>

³ <https://www.kmbc.com/article/nob-hill-apartment-residents-receive-disconnect-notices-over-landlords-unpaid-bills/29849828>

⁴ <https://www.kshb.com/news/local-news/housing-authority-of-kansas-city-will-not-allow-clients-to-live-in-teh-realty-properties>


These reports of housing conditions in the Kansas City region warrant a thorough investigation by your office. For example, federal law restricts the circumstances in which a company receiving federal funds can evict a tenant. 24 CFR § 982.310(a). Yet some housing complexes receiving federal funds in Kansas City have higher than normal eviction rates. If those companies have illegally evicted tenants and told the Department of Housing and Urban Development otherwise, then those companies have committed a federal crime. 18 U.S.C. § 1012. I encourage you to thoroughly investigate publicly managed housing complexes and landlords in the Kansas City region to determine whether companies that are failing to meet their obligations to provide quality housing have also violated federal law.

At the same time, any enforcement action must be taken only after considering the need to protect tenants from collateral harm. An enforcement action that led to low-income residents losing their homes would only compound the harm.

I therefore ask that you coordinate any enforcement action with the Department of Housing and Urban Development and local housing authorities to ensure that residents who are affected by bad management companies receive all interim relief to which they are entitled, including Tenant Protection Vouchers and Enhanced Vouchers. Coordination would better enable residents to obtain adequate housing with minimal disruption and with the opportunity to stay in their communities.

Thank you for your prompt attention to this important issue.

Sincerely,



Josh Hawley
U.S. Senator